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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/004,790	12/07/2001	Hideyuki Mori	116692001000	7892

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EXAMINER

RHODE JR, ROBERT E

ART UNIT PAPER NUMBER

3625

DATE MAILED: 12/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/004,790	Applicant(s) MORI ET AL.	
	Examiner Rob Rhode	Art Unit 3625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 2, 5, 6, 12, 15, 19, 20, 26, 29, 30 and 43 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 5, 6, 12, 15, 19, 20, 26, 29, 30 and 43 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11-2-05 has been entered.

Response to Amendment

Applicant amendment of 3-28-05 amended claims 1, 15, 29 and 43 and canceled claims 3 – 4, 7 – 11, 13 – 14, 16 – 18, 21 – 25, 27 – 28, 31 – 42 and 44.

Currently, claims 1, 2, 5, 6, 12, 15, 19, 20, 26, 29, 30, and 43 are pending.

Information Disclosure Statement

The information disclosure statement filed 11-2-05 fails to comply with 37 CFR 1.98(a)(3) because it does not include a concise explanation of the relevance, as it is presently understood by the individual designated in 37 CFR 1.56(c) most knowledgeable about the content of the information, of each patent listed that is not in the English language. It has been placed in the application file, but the information referred to therein has not been considered.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1, 15, 29 and 43 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In Claim 1, the abbreviation "BBS " is a relative abbreviation, which renders the claims indefinite. The abbreviation "BBS " is not defined by the claim(s), the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably appraised of the scope of the invention. For example, the applicant has added BBS in the claim without a commensurate definition of what BBS means. For example in older online ordering methods and systems, BBS historically has meant Bulletin Board System and thereby causes confusion. Thereby and for examination purposes, BBS style sheet was interpreted as a display page of the vendors/suppliers catalog.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 15, 29 - 30 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wiecha (US 5,870,717) in view of Manchala (US 6,405,178 B1).

Regarding claim 1 and related claims 15, 29 and 43 (currently amended), Wiecha teaches a method and system of receiving and handling an order from a customer using an order-reception system, which is comprised of at least one computer and has an order-reception Subsystem, business management subsystem and order-entry subsystem, comprising the steps of:

registering by the order-reception subsystems sales-promotion information to be displayed sales-promotion materials and inquiry information to be displayed as O&A information's;

storing, in a sales-information database comprising a storage by the order-reception subsystem, BBS information to be posted on a BBS style page according to date and classification; the registered sales-promotion information to be displayed as sales-promotion materials according to date and classifications' and the registered inquiry information to be displayed as the O&A information according to date, context and maker;

displaying by the order-reception subsystem the BBS information on the BBS style pages

displaying by the order-reception subsystem, the sales-promotion materials;

receiving- by the order-reception subsystems customer order information sent from the

customer, said customer order information including customer information regarding the customer and at least one of ordering information representing contents of an order for a commodity ordered by the customer and support request information representing contents of a support request;

performing- by the order-reception subsystem. the order reception processing based on the received customer order information;

determining by the order-reception subsystems to deliver the commodity specified in the ordering information and to provide a support specified in the support information, based on a result of the order reception processing',
and

charging by the order-reception subsystem a price of the commodity specified in the ordering information and a cost of the support specified in the support request information, based on the customer information including information regarding a price of each commodity purchased by the customer with high frequency and a cost of each support requested by the customer with high frequency, wherein the price and the cost are set by a seller of the commodity and support (see at least Abstract, Col 4, lines 14 – 41, Col 5, lines 30 – 53, Col 8, lines 14 – 22, Col 9, lines 48 – 49, Col 10, lines 39 – 42, Col 12, lines Figure 3, 7, 8 and 12). Please note that with the extremely broad wording of the claims and particularly the amended portion, the interpretation for examination purposes includes sales promotion as equivalent to a catalog, which includes sales promotion information such as price and inquiry information as the user comparing products. It is noted that supplier catalogs are provided to “promote” their products and

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catalogs are thereby considered to be sales promotion information. In turn, this promotion information is stored in the method and system of Wiecha for retrieval and display for the purchaser to browse and purchase. Once the purchaser selects the product or service, the PO is processed by the business/legacy systems (i.e. order reception subsystem) of Wiecha and the appropriate charge for the product is applied to the appropriate internal budget (business management subsystem). In turn, the PO is sent to the supplier, who acknowledges and updates the purchaser regarding status of the order. Moreover, Wiecha discloses multiple subsystems including an order reception subsystem (Figure 7). Furthermore, Wiecha discloses updates to the catalog/sales promotion information are received from suppliers in order to keep sales promotion information such as price set by the supplier to keep current. Also please note that the steps of registering, storing, displaying and receiving are merely transmitting, storing, displaying and receiving data, which is considered to be non functional descriptive material (MPEP 2106). For example, the storing of the BBS style sheet and following recitation regarding the BBS information is considered to be non-functional descriptive material, which is given very little patentable weight. The phrase(s) and or word(s) after storing are given little patentable weight because the claim language limitation is considered to be non-functional descriptive material, which does not patentably distinguish the applicant's invention from Wiecha. Thereby, the non-fictional descriptive material is directed only to the content of the information stored (BBS information) and therefore does not affect either the structure or method/process of Wiecha, which leaves the method and system unchanged.

While Wiecha does disclose the supplier updating the status of a PO fulfillment, the reference does not specifically disclose and teach a method and system confirming by the order-reception subsystems whether the commodity is delivered and the support is provided and wherein the support request includes information regarding for at least one of: a service for delivering the commodity to a place specified by the customer; a service for unpacking the ordered commodity at time of delivery; a service for collecting an empty box that the customer does not need any more; a service for delivering commodities that are repeatedly supplied to the customer on a FIFO basis; a service for specifying a delivery date for delivering the commodity to be delivered; a service for urgently delivering the ordered commodity; and a serviced for periodically delivering a constant number of commodities specified by the customer.

On the other hand, Manchala teaches a method and system for confirming whether the commodity is delivered and the support is provided and wherein the support request includes information regarding for at least one of: a service for delivering the commodity to a place specified by the customer (Abstract and Col 4, lines 43 – 44 and Col 5, lines 3 – 7); a service for unpacking the ordered commodity at time of delivery; a service for collecting an empty box that the customer does not need any more; a service for delivering commodities that are repeatedly supplied to the customer on a FIFO basis; a service for specifying a delivery date for delivering the commodity to be delivered; a service for urgently delivering the ordered commodity; and a serviced for periodically

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delivering a constant number of commodities specified by the customer. Please note that Manchala does not specifically disclose a support request that includes information specifying a place to deliver the commodity. However, Manchala does disclose a support request as well as an associated purchase Order. In that regard, it is well known that purchase order would specify a place for delivery - in order that the commodity is delivered to the correct address.

It would have been obvious to one of ordinary skill in the art to have provided the method and system of Wiecha with the method and system of Manchala to have enabled a method and system as recited in the independent claims and exemplified by claim 1. Wiecha discloses a method and system of receiving and handling an order from a customer using an order-reception system which is comprised of at least one computer and has an order-reception Subsystem, business management subsystem and order-entry subsystem, comprising the steps of: registering, storing and displaying of sales promotion information and the necessary order processing of receiving, performing and charging for the order sent to a supplier as well confirming that the order was received by the supplier (see at least Abstract, Col 4, lines 14 –41, Col 5, lines 30 – 53, Col 8, lines 14 – 22, Col 9, lines 48 – 49, Col 10, lines 39 – 42, Col 12, lines Figure 3, 7, 8 and 12). In turn, Manchala teaches an order processing system, which confirms that order product, is delivered (Abstract and Col 5, lines 3 – 7). Thereby, one of ordinary skill in the art would have been motivated to extend the methods and system of Wiecha with a method and system for confirming whether the commodity is delivered and the support

is provided. In this regard, the purchaser will be able to close the PO with the confirming of the delivery and thereby too ensure that the PO amount can be expensed appropriately.

Regarding claim 2 and related claim 30, Manchala teaches a method and system further including steps of checking by the order-entry subsystem whether there is a stock of the commodity specified in the ordering information based on stock information; determining by the order-entry subsystem a delivery date for delivering the ordered commodity; and sending by the order-entry subsystem order-reception confirmation information including delivery date information representing the determined delivery date and the customer information to the customer either in a facsimile form or e-mail form (Abstract, Col 1, lines 39 – 42, Col 5, lines 3 – 7 and lines 33 – 36).

Claims 5 – 6 and 19 – 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Wiecha and Manchala as applied to claim 1 above, and further in view of Moreno (US 6,882,269 B2).

The combination of Wiecha and Manchala disclose and teach substantially the applicant's invention.

However the combination does not specifically disclose and teach a method, wherein

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the support request information includes information regarding a request for collecting recyclable items including at least one of a used cartridge, a used toner container and used paper nor a method and system wherein the order reception system is further comprised of a delivery subsystem; and further comprising the step of arranging, by the delivery subsystem, collection of used paper, in response to a support request for collecting used paper from the customer when a used paper collection box provided to the customer is filled with used paper.

On the other hand and claim 5 and related claim 19, Moreno teaches a method, wherein the support request information includes information regarding a request for collecting recyclable items including at least one of a used cartridge, a used toner container and used paper (Figure 1 and 3). Please note that Moreno does not disclose recyclable items. However, Moreno does disclose collecting items. In that regard, it would have been obvious to one of ordinary skill in the arts to extend items with recyclable items. Thereby, these additional items can be included, which will increase the number of items collected.

Regarding claim 6 and related claim 20, the recitation that method further including the step of arranging collection of used paper, in response to a support request for collecting used paper from the customer when a used paper collection box provided to the customer is filled with used paper", such recitation is given little patentable weight

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because it imparts no structural or functional specificity which serves to patentably distinguish the instant invention from the other "collecting" already disclosed by Moreno.

It would have been obvious to one of ordinary skill in the art at the time of the invention to have provided the combination of Wiecha and Manchala with the method and system of Moreno to have enabled a method and system wherein the support request information includes information regarding a request for collecting recyclable items including at least one of a used cartridge, a used toner container and used paper. The combination of Wiecha and Manchala disclose a method and system as recited in claim 1. In turn, Moreno discloses a method and system wherein the support request information includes information regarding a request for collecting recyclable items including at least one of a used cartridge, a used toner container and used paper (Abstract and Figures 1 and 3

Claims 12 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Wiecha and Manchala as applied to claims 1, 15, and 29 above, and further in view of Sawada (US 6,141,507).

The combination of Wiecha and Manchala disclose and teach substantially the applicant's invention.

However, the combination does not specifically disclose and teach a method and system further comprising the steps of: assigning, by the order reception subsystem in a case where the customer has made a contract of maintenance service for an of a plurality of apparatus including OA apparatuses, a delivery of the commodity to a service person who can execute the maintenance service when it is determined to deliver the commodity specified in the ordering information; and determining by the order reception subsystem to execute a maintenance service based on the maintenance contract at a time of delivering the commodity, based on the customer information and customer order information.

On the other hand and regarding claim 12 and related claim 26, Sawada teaches a method and system, further comprising the steps of: assigning, by the order reception subsystem in a case where the customer has made a contract of maintenance service for one of a plurality of apparatus including OA apparatuses, a delivery of the commodity to a service person who can execute the maintenance service when it is determined to deliver the commodity specified in the ordering information; and determining to execute a maintenance service based on the maintenance contract at a time of delivering the commodity, based on the customer information and customer order information (Col 1, lines 18 – 24 and Col 2, lines 26 – 34).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have provided the combination of Wiecha and Manchala with the method and system

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of Sawada to have enabled a method and system further comprising the steps of: assigning, by the order reception subsystem in a case where the customer has made a contract of maintenance service for one of a plurality of apparatus including OA apparatuses, a delivery of the commodity to a service person who can execute the maintenance service when it is determined to deliver the commodity specified in the ordering information; and determining by the order reception subsystem to execute a maintenance service based on the maintenance contract at a time of delivering the commodity, based on the customer information and customer order information. The combination of Moreno and Manchala disclose a method and system for receiving a customer order, performing the order reception processing, delivery confirmation and charging a price for the delivered commodity and or service. Sawada discloses a method and system further comprising the steps of: assigning, in a case where the customer has made a contract of maintenance service for one of a plurality of apparatus including OA apparatuses, a delivery of the commodity to a service person who can execute the maintenance service when it is determined to deliver the commodity specified in the ordering information; and determining to execute a maintenance service based on the maintenance contract at a time of delivering the commodity, based on the customer information and customer order information (Col 1, lines 18 – 24 and Col 2, lines 26 – 34). Therefore, one of ordinary skill in the art would have been motivated to extend the combination of Moreno and Manchala with a method and system further comprising the steps of: assigning, in a case where the customer has made a contract of maintenance service for one of a plurality of apparatus including OA apparatuses, a

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delivery of the commodity to a service person who can execute the maintenance service when it is determined to deliver the commodity specified in the ordering information; and determining to execute a maintenance service based on the maintenance contract at a time of delivering the commodity, based on the customer information and customer order information.

Response to Arguments

Applicant did not provide any arguments.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Rob Rhode** whose telephone number is **571.272.6761**. The examiner can normally be reached Monday thru Friday 8:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Wynn Coggins** can be reached on **571.272.7159**.

Any response to this action should be mailed to:

Commissioner for Patents

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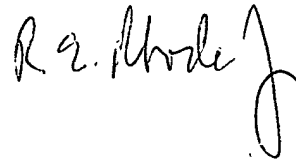
"Box AF"]

For general questions the receptionist can be reached at
571.272.3600

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A handwritten signature in black ink, appearing to read "R. R. Rhode", with a stylized flourish at the end.